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CALENDAR

Jury – Bryan guilty, should spend life in prison without parole

By Traci Chapman

After almost five hours of deliberation, the jury in the Rebecca Bryan first-degree murder case found the Mustang woman guilty of killing her husband, Keith Bryan, on Sept. 20, 2011.



Assistant District Attorney Paul Hesse listens during Rebecca Bryan's first-degree murder trial. (Photo by Glen Miller)

The jury also recommended the maximum penalty available against Bryan, life in prison without the possibility of parole. Canadian County District Court Judge Gary Miller scheduled Bryan's formal sentencing for July 9. He also directed a pre-sentence report be initiated. Miller could accept the jury's sentence recommendation or opt for the lesser penalty of life with the possibility of parole. If given that sentence, Bryan would have to serve 85 percent of the sentence or at least 35 years, prosecutors said.

Keith Bryan was Nichols Hills fire chief and a former Mustang city councilman. Keith Bryan's parents, son, Trent, and daughter-in-law, Jesse attended each day of the 12-day trial, as did many of his former co-workers and friends. As Rebecca Bryan said during an interview of her taped by investigators and played for jurors, "Everybody likes Keith." Even as friends awaited the jury's verdict, much of the talk centered on Keith Bryan's generous nature and fun-loving personality. As one person said, "He made a difference."

Rebecca Bryan's life has taken a much different turn, a slide that began even before she shot her husband in the head while he watched a movie in the couple's Mustang home. In the summer of 2009, Bryan met Hugo realtor Mark Holbrook at a real estate brokers class. What began as a friendship developed into a brief relationship that turned sexual and which Holbrook testified seemed, for a time, would become one in which each of them left their spouses to be together. Keith and Rebecca Bryan separated, and she would ultimately file for divorce in late January 2010, a case which was dismissed only after Keith Bryan's death.



Keith Bryan

That changed in early January 2010, Holbrook testified, when he discovered Bryan's "manipulative nature." The couple had gone to a Broken Bow cabin rented by Bryan for the weekend.

"I just started realizing, 'Hey this is not the person I've been talking to the last few months,'" Holbrook told jurors.

The Hugo man broke off the relationship after that weekend, even agreeing to speak with both Keith and Rebecca Bryan by phone. At that time, Holbrook said he promised Keith Bryan he would stay away from his wife, but Rebecca Bryan had other plans, he and other witnesses testified.

After Holbrook's rejection, the Bryans reconciled, but the Mustang woman continued to call and text Holbrook, traveled to Hugo several times and contacted his wife, son and parents. Witnesses testified Bryan even faked a pregnancy, going so far as to try to purchase a positive pregnancy test and a grave marker for a child who never existed.

"The defendant had an obsession for Mark Holbrook – even 18 months after he ended the relationship, that obsession remained," Assistant District Attorney Paul Hesse told jurors during his closing statement.

Despite that obsession, Bryan actively pursued other men, three of whom testified during her murder trial. The week before Keith Bryan's death, she had a liaison with a man in Dallas while there for a wedding. The day before and the day of the murder, she attempted to have sex with two men at a realtors conference in Tulsa before traveling to a client's home and having sex with him – just hours before her husband was shot.

Even then, Hesse showed jurors, Bryan was trying to reach out to Mark Holbrook. After calling him, where he responded by hanging up, Bryan sent a series of text messages to the Hugo man professing her love and telling him she planned to move to be near him. One of those messages was particularly telling, Hesse said, because Bryan stated she was going to "inherit a lot of money."

After that, Bryan went home to a husband who she told investigators "made her tea." After asking friend Debbi Proctor, who stopped by for a visit, to "git" home, minutes later Bryan made the first of two 911 calls to Mustang police. In those calls, the defendant's story was born – an unknown intruder had come into the couple's home, shot Keith Bryan in the head and left the way he had entered, through the interior garage door.

Bryan's story would come to change in some ways – where she was when her husband was shot, omissions about her activities and her relationship with her husband, but some aspects never changed. That included where the alleged intruder went while in her house – directly in and directly out through the garage door.

That was why investigators concentrated on Bryan as their suspect so quickly, they testified. While they initially believed the Mustang woman's story, they testified her demeanor after the shooting gave them pause, when a gun, left-handed glove, shell casing and fireman's blanket full of bullet holes were found in the dryer of the home's utility room, Oklahoma State Bureau of Investigation crime scene investigator Francia Thompson testified agents realized Bryan "hadn't been truthful with us."

Thompson, in particular, and other OSBI agents, as well as Mustang police, were criticized from the start by defense attorney Gary James, who told jurors the case was a "rush to judgment," highlighted by sloppy and incomplete work. James said Thompson – at least – "lied" and inferred investigators planted the evidence that would ultimately convict his client.

The dryer where the murder weapon was found was not fingerprinted, and a lack of DNA testing on some items showed investigators had "tunnel vision," defense expert Edward Hueske testified. Thompson did not file the report of her interview with a man who corroborated Bryan's story of a dark truck driven away by the shooter, James said.

"You either have the case agents lying to you on the stand or you have Francia Thompson lying to you. That's it," James said in his closing statement. "What kind of investigation do you have to believe when the people who are entrusted to tell you the truth – what can you believe about the physical evidence?"

Ultimately, jurors believed investigators and did not believe Rebecca Bryan, recommending the maximum penalty they could for the Mustang woman – life in prison, without the possibility of parole.

"I ask you to ask yourself this – does she deserve, in light of what she did to her husband, to know that she might ever get out of prison?" Hesse asked jurors during his closing argument. "Does she deserve to know that she's going to die in prison?"

"She doesn't deserve to know that she could someday get out and enjoy the freedom that Keith Bryan will never have," Hesse said.

Miller will make that final determination July 9.